

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

JOHN C. DUVALL,

Petitioner,

vs.

CAROLYN J. CONNERS, LARRY

CRAWFORD and JAY NIXON,

Respondents.

Case No. 4:05-CV-2363 AGF

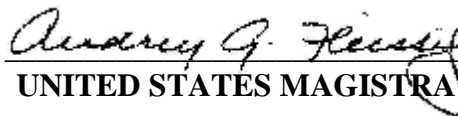
**ORDER OF VOLUNTARY DISMISSAL
PURSUANT TO FED. R. CIV. P. 41(a)**

This matter is before the Court upon petitioner's motion voluntarily to dismiss his petition for a writ of habeas corpus. On December 22, 2005, while this action was under review pursuant to 28 U.S.C. § 1915, petitioner submitted a motion to dismiss requesting that this action be voluntarily dismissed, without prejudice. See Fed. R. Civ. P. 41(a). Because no show cause order has issued and respondent has not filed a response, the Court will grant petitioner's request to dismiss voluntarily his 28 U.S.C. § 2254 petition.

Therefore,

IT IS HEREBY ORDERED that petitioner's motion to dismiss voluntarily his petition for a writ of habeas corpus [Doc. # 4], without prejudice, is **GRANTED**.

Dated this 3rd day of January, 2006.


UNITED STATES MAGISTRATE JUDGE